

FORM PTO-1390
(REV. 01-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFF

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

5926P037

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/511571INTERNATIONAL APPLICATION NO.
PCT/NL03/00272INTERNATIONAL FILING DATE
10 April 2003PRIORITY DATE CLAIMED
4/13/02

TITLE OF INVENTION

X-Ray Diffraction Apparatus and Method

APPLICANT(S) FOR DO/EO/US

Paul Frederick Fewster

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items(5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)).
20. ☒ Other items or information.

Formal drawings transmittal; 5 drawing sheets; Request for Priority; International Search Report; PCT Written Opinion; Response to Written Opinion; IPER; Notification of Transmittal of IPER; return postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.55) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/511571</div>	INTERNATIONAL APPLICATION NO. PCT/NL03/00272	ATTORNEY'S DOCKET NUMBER 5926p037
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5): Neither international preliminary amendment examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	CALCULATIONS PTO USE ONLY																				
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/>	\$ 950.00																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CLAIMS</th> <th style="text-align: left;">NUMBER FILED</th> <th style="text-align: left;">NUMBER EXTRA</th> <th style="text-align: left;">RATE</th> </tr> <tr> <td>Total claims</td> <td>16 - 20 =</td> <td>0</td> <td>x 18</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x 88</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ 300</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	16 - 20 =	0	x 18	Independent claims	3 - 3 =	0	x 88	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 300	TOTAL OF ABOVE CALCULATIONS =				\$ 0.00 \$ 0.00 \$ 300.00 \$ 1250.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
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Independent claims	3 - 3 =	0	x 88																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 300																		
TOTAL OF ABOVE CALCULATIONS =																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$ 1250.00																				
SUBTOTAL =	\$ 1250.00																				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/>	\$																				
TOTAL NATIONAL FEE =	\$ 1250.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property+	\$																				
TOTAL FEES ENCLOSED =	\$ 1250.00																				
	Amount to be refunded: \$ charged: \$																				

a. ☒ A check in the amount of \$ 1250.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-2666 in the amount of \$ 1250.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Blakely, Sokoloff, Taylor & Zafman LLP
 12400 Wilshire Boulevard, 7th Floor
 Los Angeles, CA 90025
 Telephone: (310) 207-3800

DATE 10/12/09

SIGNATURE Eric S. Hyman

NAME

30,139

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/511571

DT01 Rec'd PCT/PTO 12 OCT 2004

In re the Application of:

PAUL FREDERICK FEWSTER

Application No.:

Filed:

For: **X-Ray Diffraction Apparatus and Method**

Art Group:

Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are the formal drawings, 5 sheets including 8 Figures. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of the Fee Transmittal is enclosed for this purpose.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Dated: 10/12/07


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